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United States Government

Department of Energy

memorandum

Rocky Flats Office

DATE Mar 16 1992

REPLY TO
ATTN OF ERD BKT 3047

SUBJECT Compliance with the Endangered Species Act, Fish and Wildlife Coordination Act and the Migratory Bird Treaty Act at Rocky Flats Plant

TO: J M Kersh Associate General Manager
Environmental and Waste Management
EG&G Rocky Flats Inc

We request that EG&G perform the activities listed in this memorandum in order to secure compliance with the Endangered Species Act (ESA) Fish and Wildlife Coordination Act (FWCA) and Migratory Bird Treaty Act (MBTA) at the RFP. Note that the majority of projects identified in this memorandum have been referenced in DOE/RFO letters to the U S Fish and Wildlife Service (FWS) and Colorado Division of Wildlife (CDOW) of which EG&G's NEPA Division has been copied (see 91 DOE 7649 and 92 DOE 2285)

Since the construction for the interim measure/interim remedial action planned for OU 4 is scheduled to begin in early April 1992 we request that EG&G give the highest priority to the FWS consultation per the ESA for potential Platte River drainage impacts and consultation per the FWCA/MBTA. We do not want a schedule delay resulting from consultation with the FWS to occur at OU 4. Similarly we do not want to be in a position of having to initiate construction prior to completing the consultation process as was done for the French drain at OU 1. Note that the FWCA/MBTA consultation should include a presence/absence survey for the Preble's Meadow Jumping Mouse which is Category 2 and therefore not protected by the ESA. However since this species is of special interest to the FWS DOE is willing to generate information regarding its presence/absence at the RFP.

We request that EG&G have an expert on the Ute ladies tresses which is listed as a threatened species under the ESA be brought to the RFP to perform habitat surveys to determine suitability for this plant for the following projects

- 1) upgrading and installing surface water monitoring stations on Woman Creek, Walnut Creek and Rock Creek,
- 2) the new landfill, and
- 3) the OU 2 interim measure/interim remedial action planned for 1992

ADMIN RECORD

A-OU(11)-(111)-77

Any other FY 92 or FY 93 project where concerns exist regarding the Ute ladies tresses should have the project area surveyed for habitat suitability along with those projects listed above

We request that presence/absence surveys be conducted for the Ute ladies tresses for all FY 92 and FY 93 projects where potentially suitable habitat is present. These surveys should include the wetlands which could potentially be impacted by the interim measure/interim remedial action planned for OU 2 in 1992. Note that the FWS has requested that presence/absence surveys for this plant be limited to the month of August.

Any questions or concerns regarding this memorandum should be directed to Bruce Thatcher of my staff at 966-3532

15/
James K. Hartman
Acting Assistant Manager
for Environmental Management

cc-
F Lockhart, ERD RFO
R Schassburger ERD RFO
B Thatcher ERD RFO
S Grace ERD RFO
B Lewis ERD RFO
P Powell ERD RFO
B Peterman EG&G
S Nesta, EG&G
R Flory EG&G